**Minutes of the Village of Aurora Planning Board Special Meeting, October 8, 2014**

**Present:** Chair Nancy Gil, Pat Bianconi, Pat Foser, Michele Murphy, and Pam Sheradin

**Others Present:** Village Clerk Ann Balloni, Village Attorney Tom Blair, Village Zoning Inspector Patrick Doyle, Village Engineer Ken Teter, Village Trustee Janet Murphy, Sue Edinger, Beth Estes, Jacci & Virgil Farlow, Bruce King, Terrie King, Terry Newcomb, and Alex Schloop.

**Call to Order:** Chair Gil called the meeting to order at 5:35 pm.

**Approval of Minutes:** On motion by Bianconi, seconded by Foser, the Planning Board voted to approve the September 24, 2014 minutes.

AYES: Gil, Bianconi, Foser, Murphy, and Sheradin

NAYS: None

Motion carried unanimously.

**Application #14-23 from the Inns of Aurora to convert Wallcourt, 38 Lafayette St, to a hotel**

Chair Gil explained that, as she is not able to attend the regular October Planning Board meeting, the special meeting was scheduled for a final review of Application #14-23.

Village Attorney, Tom Blair, informed all present that the public notice is available, but the reading of the public notice was waived.

Chair Gil remarked that two comments were received via email (attached to these minutes) within the time frame allotted for additional public comment, from Dr. Linda Schwab and Professor Jack Rossen, though the public hearing was closed at the September 24, 2014 Planning Board meeting.

Village Historian, Dr. Linda Schwab, submitted a highlighted copy of Professor Rossen’s project map from his excavation of the Chonodote site off of Sherwood Road, now proposed as a parking area for Wallcourt. Dr. Schwab also submitted a chapter from Professor Rossen’s forthcoming book related to the site.

Professor Rossen’s email recommends moving the parking area further west or closer to Sherwood Road to keep it as far from the excavation site as possible.

Chair Gil confirmed that all Planning Board members had reviewed Parts 1 & 2 of the SEQR Environmental Assessment Form, as well as the additional comments submitted by Dr. Schwab and Professor Rosen.

On motion by Bianconi, seconded by Murphy, the Planning Board voted for a Negative Declaration of the SEQR for Application #14-23.

AYES: Gil, Bianconi, Foser, Murphy, and Sheradin

NAYS: None

Motion carried unanimously.

Chair Gil then instructed the village clerk to draft a resolution for the SEQR.

**VILLAGE OF AURORA, CAYUGA COUNTY**

**SEQRA RESOLUTION – WALLCOURT GUEST HOUSE**

**October 8, 2014**

A special meeting of the Village of Aurora Planning Board (“Planning Board”) was convened

at 5:35 p.m. on October 8, 2014 in Village Hall located at 456 Main Street, Aurora, New York. The meeting was called to order by Chair Gil, and roll being duly called,

the following members were present: Nancy Gil, Patricia Bianconi, Pat Foser, Michele Murphy, and Pam Sheradin.

The following persons were also present: Village Clerk Ann Balloni, Village Attorney Tom Blair, Village Zoning Inspector Patrick Doyle, Village Engineer Ken Teter, Village Trustee Janet Murphy, Inns of Aurora General Manager Sue Edinger, Beth Estes, Jacci & Virgil Farlow, Holmes, Kallquist, King & Associates Architect Bruce King, Terrie King, Wells College CFO Terry Newcomb, and Alex Schloop.

This proposed Resolution was offered by Planning Board Member Pam Sheradin and

seconded by Member Pat Foser.

**WHEREAS**,

1. In accordance with the New York State Environmental Quality Review Act (“SEQR”) 6 NYCRR Part 617, the Planning Board of the Village of Aurora (“Planning Board”) announced its intent to serve as Lead agency on August 27, 2014, to conduct an environmental review of a the Wallcourt Guest House project (“Project”). The proposed action will result in the conversion of an existing vacant building into a 17-room Inn.
2. The Planning Board has determined that the proposed action is a Type I action as defined under SEQR section 617.4(b)(9), as the Project is located within or contiguous to a historic site/district.
3. The Planning Board, as lead agency has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above. The SEQR Full Environmental Assessment Form, as completed is made part of the attached Negative Declaration and made part hereof.
4. On September 3-5, 2014 the Planning Board notified all potentially Involved and Interested Agencies of its intention to act as Lead Agency for the Project, and circulated the full Environmental Assessment Form. No other Agency asserted its desire, legal authority or jurisdiction to serve as lead agency.
5. The Village will continue to work with all Federal, State and local agencies until all necessary permits and approvals have been obtained.
6. The Planning Board has carefully considered the environmental record prepared for this action, including any comments received from the Involved Agencies. This record is also attached to the Negative Declaration which is provided as Attachment “A” hereto and made part hereof.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Planning Board of the Village of Aurora hereby determines that, based on the environmental record which has been prepared, the Project will not have a significant adverse effect upon the environment and therefore an environmental impact statement will not be prepared. For these reasons, a Negative Declaration under SEQR is therefore issued for this Project; and

**IT IS FURTHER RESOLVED**, that the Village Planning Board Acting Chair, Pat Bianconi, is authorized to sign the Full Environmental Assessment Form, file all necessary documents with the appropriate departments and agencies, and publish the Notice of Type I Negative Declaration in the Environmental Notice Bulletin.

The question of the foregoing Resolution was duly put to a vote and upon roll call was as

|  |  |  |  |
| --- | --- | --- | --- |
| follows: |  |  |  |
| Nancy Gil | Chair | Voted | AYE |
| Patricia Bianconi | Member | Voted | AYE |
| Pat Foser | Member | Voted | AYE |
| Michele Murphy | Member | Voted | AYE |
| Pam Sheradin | Member | Voted | AYE |
|  |  |  |  |

The foregoing Resolution was thereupon declared duly adopted.

**Dated: October 8, 2014**

ATTACHMENT A

1. SEQR Negative Declaration.
2. Completed Full Environmental Assessment Form.
3. Responses of the SEQRA Involved Agencies to the Village’s August 29, 2014 request for consent to act as lead agency on the Wallcourt Guest House project (“Project”):
4. Consent from the Village of Aurora Community Preservation Panel with comments, signed September 22, 2014
5. Consent from the Cayuga County Planning and Economic Development Department without comments, signed September 4, 2014
6. Letter from New York State Department of Environmental Conservation, without comments dated September 3, 2014
7. Letter from New York State Department of Transportation, without comments, dated September 8, 2014
8. Email from New York State Department of Transportation dated October 8, 2014.
9. Responses of the SEQRA Interested Agencies to the Village’s August 29, 2014 request for comments on the Project:
10. None
11. Recommendations of the Cayuga County Planning and Economic Development Department regarding the Project application and Site Plan, dated September 18, 2014
12. Resolutions/minutes of the Village Planning Board relating to the Cayuga County Planning and Economic Development Department’s Project recommendations and comments, dated September 24, 2014
13. Resolutions/minutes of the Village of Aurora Community Preservation Panel (“CPP”) relating to the CPP’s September 3, 2014 and October 1, 2014 review of the Project, together with Certificates of Appropriateness
14. Comments of Village Engineer Ken Teeter, dated August 27, 2014 regarding Project Plans
15. Review of Site Plan documents for the Project by Village Engineer Ken Teeter, dated October 7, 2014
16. Letter from Karen Hindenlang, dated September 23, 2014
17. Letter from Steven Carlisle, dated September 22, 2014
18. Minutes from public hearing conducted on September 24, 2014
19. Letter/email from Dr. Jack Rossen, dated September 29, 2014
20. Letter/email from Dr. Linda Schwab, dated September 30, 2014
21. Amended plans of Applicant responding to comments and letters concerning Project ingress and egress and parking arrangement on Sherwood Road to modify ingress to NYS Route 90 and egress onto Lafayette Street, and re-orienting the entrance/exit to the parking area off of Sherwood Road and also reorienting the parking field in a manner consistent with alleviating citizen concerns.

**Special Use Permit**

Chair Gil noted that two comments were received regarding excavation, referring to the aforementioned emails from Dr. Schwab and Professor Rossen.

Mr. Teter commented that he had received a copy of the Storm Water Protection Plan (SWPP) and questioned the cleanout process of the pipes and requested that a designee address the concerns with him as it is not a Planning Board concern. The applicant agreed.

On motion by Foser, seconded by Sheradin, the Planning Board voted to approve the Special Use Permit for Application #14-23.

AYES: Gil, Bianconi, Foser, Murphy, and Sheradin

NAYS: None

Motion carried unanimously.

**Site Plan**

Chair Gil noted two mistakes in the SWPP:

1. On page 3, under Appendix A question 3, post development use, the answer should read “commercial” Ms. Marsh will file a correction with the DEC.
2. On page 4, question 12 is blank. Mr. King will verify the construction parking question and clarify for the Planning Board.

The **VILLAGE PLANNING BOARD OF THE VILLAGE OF AURORA,** in the County of Cayuga, State of New York, met in special session at the Village Hall in the Village of Aurora, located at 456 Main Street in the Village of Aurora, County of Cayuga, State of New York, on the 8th day of October, 2014, at 5:30 p.m. The meeting was called to order by Chairwoman Nancy Gil, and the following were present, namely:

Nancy Gil Chair

Patricia Bianconi Member

Pat Foser Member

Michele Murphy Member

Pam Sheradin Member

**WHEREAS,** application has been made to the Village Planning Board by the Inns of Aurora, LLC (the "Applicant") for the purpose of converting an existing vacant building located at 38 Lafayette Street, commonly known as “Wallcourt” into a 17-room Inn, which project is commonly known as “Wallcourt Guest House” (hereinafter, “Project”);

**WHEREAS,** the Project set forth on the Site Plan is in the Residential Zoning District in the Village of Aurora, which zoning district allows Inns and hotels (Village of Aurora Zoning Law section 404.21) and has certain bulk and dimensional requirements Inns/hotels;

**WHEREAS**, the Project is located upon a parcel of land currently identified as 38 Lafayette Street, and is set forth on that certain Map of Reed Hilderbrand, dated October 1, 2014;

**WHEREAS**, the Applicant, for a period of approximately six (6) months, has engaged the Village in the process of concept planning, site planning and planning for uses upon the subject property which may be undertaken as part of the Project;

**WHEREAS**, the Applicant has submitted an initial site plan and zoning permit application dated June 23, 2014, which plan was later modified and amended on July 22, 2014, August 23, 2014, and September 5, 2014, resulting in a final site plan dated October 1, 2014;

**WHEREAS**, the relevant site plan(s) reflect a lot line adjustment being made by the Applicant to ensure the parcel commonly known as 38 Wallcourt will have only one principal building situated thereupon and will, upon the filing of the appropriate maps with the Cayuga County Clerk and/or Cayuga County Office of Real Property Services, will be comprised of + or – 1.018 acres;

**WHEREAS**, a site plan dated June 23, 2014 was submitted for Community Preservation Panel (“CPP”) review, pursuant to Village of Aurora Zoning Law, Article VII, and was heard on September 3, 2014 and granted a Certificate of Appropriateness by the CPP, and the final plan dated October 1, 2014 was also submitted to the CPP for review and was heard on October 1, 2014 and was granted a Certificate of Appropriateness;

**WHEREAS**, the Applicant has attended work sessions with the Village on June 25, 2014 and August 12, 2014 in order to clarify project parameters, uses, and to explore ways to lessen potential Project impacts;

**WHEREAS**, during work sessions with the Village, the applicant was made aware that pursuant to Village of Aurora Zoning Law section 803(a) and Article IX, a Special Use Permit would be required for the Project due to certain exterior improvements, including excavation on site;

**WHEREAS**, the Village Planning Board undertook a review of all application materials submitted by the Applicant on July 23, 2014 but did not accept applicant’s application materials due to certain insufficiencies and/or omissions to the materials submitted;

**WHEREAS,** the Village Planning Board, during its August 27, 2014 regular meeting, voted to accept the Applicant’s site plan, Special Use Permit and New York State Environmental Quality Review Act (“SEQRA”) application(s) and supporting materials as a materially complete application(s);

**WHEREAS,** the Project application was referred by the Village on September 8, 2014 to the Cayuga County Department of Planning & Economic Development for General Municipal Law 239 (l)(m) and (n) review and comment;

**WHEREAS,** theCayuga County Department of Planning & Economic Development unanimously approved the proposed action, with recommended changes to include the introduction of a soil erosion sediment plan;

**WHEREAS**, during the regular Planning Board meeting on September 24, 2014 the Village Planning Board unanimously approved the Cayuga County Department of Planning & Economic Development recommendations and comments (with said minutes being attached hereto and made part hereof);

**WHEREAS**, Applicant included as part of its application submissions as request for a Special Use Permit pertaining to site improvements, including excavation;

**WHEREAS,** during the August 27, 2014 Planning Board meeting, the Planning Board inquired of the applicant as to whether the proposed parking area on Sherwood Road could be improved and also received input from the Village Engineer that ingress and egress points could be modified to enhance safety and traffic flow onto and from the site;

**WHEREAS**, the Planning Board convened a regular meeting on September 24, 2014, which included the conduct of a combined public hearing on SEQRA, the requested Special Use Permit, and Site Plan review, which included multiple speakers in favor of approval of the Project plans as submitted, and multiple speakers opposed to the Project plans as submitted;

**WHEREAS**, during its September 24, 2014 public hearing no comments were made, and no evidence was submitted pertaining to the applicant’s Special Use permit Application, and several comments were made about concerns relating to the Project’s proposed parking field location off of Sherwood Road, specifically addressing headlight shining, entrance and exit points, parking lot lighting, screening, and the orientation of the parking field;

**WHEREAS**, the Village Planning Board, during its September 24, 2014 meeting provided all citizens and speakers the opportunity to be fully heard and/or submit evidence for, or opposed, to the Project plans, as submitted, and closed its public hearing but added an additional seven (7) day time period for which citizens or concerned parties could submit comments or evidence to the Planning Board, and scheduled a special meeting on October 8, 2014 for further discussion and/or a vote on the Project applications (the relevant public notice is attached hereto and made part of this Resolution);

**WHEREAS**, during the seven (7) day post-hearing period comments were submitted by Dr. Jack Rossen and Dr. Linda Schwab concerning the potentially archaeologically sensitive nature of lands to the north of the proposed Project parking area located off of Sherwood Road;

**WHEREAS,** in light of Planning Board input and the comments provided by concerned parties regarding the potentially archaeologically sensitive nature of lands to the north of the proposed Project parking area located off of Sherwood Road, the applicant amended its plans for parking layout, ingress and egress, and land use for the parking area off of Sherwood Road, as is reflected in the October 1, 2014 map of Reed Hilderbrand;

**WHEREAS**, the October 1, 2014 final amended map was referred to CPP for review during the October 1, 2014 meeting, during which a Certificate of Appropriateness was granted;

**WHEREAS**, during the Planning Board meeting on September 24, 2014 the Planning Board reviewed the New York State Environmental Quality Review Act (“SEQRA”) Long Environmental Assessment Form, Part I and completed Part 2 of the Form, and has on October 8, 2014 adopted a SEQRA Findings Statement and Resolution (the “SEQRA Approval Resolution”, which resolution is attached hereto and incorporated and made part of this Resolution); and

**WHEREAS**, all applicable application deadlines for which the Planning Board must act, or have taken action by, have been and are hereby extended via agreement with the Applicant such that all action(s) undertaken by the Planning Board on the pending applications are timely.

**NOW, THEREFORE, BE IT RESOLVED**, upon a motion made by Planning Board Member Pat Bianconi and seconded by Planning Board Member Pam Sheradin, and after an affirmative vote of a majority of the Members present, as is recorded below, the Village of Aurora Planning Board hereby approves the site plan and special permit application(s) submitted by the applicant, Inns of Aurora, LLC, with the following conditions:

A. Before the issuance of a building permit, the following conditions shall apply:

1. That the Special Use Permit issued shall expire if the applicant fails to comply with conditions stated within six (6) months of its issuance or if its time limit expires without renewal.
2. That the Applicant establish, and/or replenish its escrow account to such levels as is determined by the Village consistent with local law, and tender payment to the Village for all expenses incurred as a result of the Project within 15 days of receipt, in accordance with Village law.
3. That a construction sequencing, scope, hours of construction and parking plan be submitted to and approved by the Planning Board Chair/Acting Chair and Village Engineer.
4. That the lot line adjustment indicated on the site plan of Reed Hilderbrand dated October 1, 2014 be properly filed in Cayuga County, with relevant copies being immediately provided to the Village in triplicate; and
5. After the issuance of a building permit the following conditions shall apply:
6. That Application #14-23 dated June 23, 2014, thereafter modified on July 22, 2014 and August 23, 2014, together with the Site Plan of Reed Hilderbrand dated October 1, 2014, the application narrative dated September 3, 2014; be complied with in all respects.
7. That the applicant obtain and comply with all necessary permits and approvals from the New York State Department of Transportation, the New York State Department of Environmental Conservation, the Cayuga County Health Department, the Cayuga County Highway Department, the Village of Aurora, and any other approval and/or permit needed for the application and/or ongoing operations at the involved site(s).
8. That an as-built survey be submitted to the Code/Zoning Department for the Village of Aurora with verification of conformance of all phases of the contemplated project within sixty (60) days of the completion of the project.
9. That deadlines can be extended per agreement with the applicant.

Comments of Planning Board members during the discussion phase of the pending vote included:

Chair Gil asked for an estimated time of the completion of the project and Ms. Edinger responded “tentatively July 2015.”

Mr. Blair requested a sequencing of the project including all amended materials and Mr. Teter requested a day to review the materials. Ms. Marsh agreed per issuance of the permit by Zoning Inspector Doyle. Mr. Blair replied that the village was willing to accommodate the applicant.

Chair Gil questioned the lot line adjustments for the adjoining properties and Ms. Marsh replied that Wallcourt and Taylor House would be two separate parcels.

Record of Roll Call Vote Yes/No

Chair Nancy Gill Present Yes

Member Patricia Bianconi Present Yes

Member Pat Foser Present Yes

Member Michele Murphy Present Yes

Member Pam Sheridan Present Yes

On motion by Murphy, seconded by Sheradin, the Planning Board voted to adjourn the special meeting at 6:45 pm.

AYES: Gil, Bianconi, Foser, Murphy, and Sheradin

NAYS: None

Motion carried unanimously.

**Next meeting:** October 22, 2014

Respectfully submitted,

Ann Balloni

Village Clerk